

California Department of Public Health

FORM APPROVED

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: CA040000106	(X1) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED 10/03/2019
NAME OF PROVIDER OR SUPPLIER KAWEAH DELTA MEDICAL CENTER			STREET ADDRESS, CITY, STATE, ZIP CODE 400 W Mineral King Ave Visalia, CA 93291	
(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)	ID PREFIX TAG	PROVIDER'S PLAN OF CORRECTION (EACH CORRECTION SHOULD BE CROSS-REFERENCED TO THE APPROPRIATE DEFICIENCY)	(X5) COMPLETE DATE
E000	<p>Initial Comments</p> <p>The following reflects the findings of the Department during the investigation of a facility reported incident.</p> <p>Facility Reported Incident: 653163</p> <p>Representing the Department:</p> <p>1720, HFEN</p> <p>The inspection was limited to the specific facility reported incident investigated and does not represent the findings of a full inspection of the facility.</p> <p>One deficiency was written for facility reported incident 653163.</p>	E000		
E264	<p>T22 DIV5 CH1 ART3-70213(a) Nursing Service Policies and Procedures.</p> <p>(a) Written policies and procedures for patient care shall be developed, maintained and implemented by the nursing service.</p> <p>This Statute is not met as evidenced by: Based on interview and record review, the facility failed to follow its abuse policy and procedure when the facility failed to:</p> <ol style="list-style-type: none"> 1. Notify law enforcement when one of one sampled patient (Patient 1) alleged she had been raped. 2. Send a written report, SOC 341 (Report of Suspected Dependent Adult/Elder Abuse- a form used to report suspected or alleged abuse) to the Department within two working 	E264		

Licensing and Certification Division

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

TITLE

(X6) DATE

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	<p>days. These had the potential to delay the abuse investigation and compromise the patient's safety.</p> <p>Findings:</p> <p>1. During a review of the facility "Risk Management Report" dated 8/30/19, received 9/4/19 by the Department, Patient 1 alleged she was sexually assaulted by staff while being prepped for a cardiac procedure in the Cath Lab (catheterization laboratory) on 8/26/19. Patient 1 was discharged from the facility on 8/26/19. Patient 1 filed a complaint on 8/29/19, alleging Cath Lab staff left her exposed, laughed at her and that she was "poked and uncovered" on the procedure table.</p> <p>During an interview with the Director of Patient Experience (DPE), on 9/5/19, at 3:30 PM, he stated, "I called [Patient 1] on 8/29/19, and she stated the cath lab staff were "prepping and poking" her. She felt they were not professional and when she saw them laugh outside the cath lab room, she thought they were laughing at her. On the 8/30/19, phone call the patient said she was raped. I reported the allegation of rape to the Director of Risk Management (DRM)."</p> <p>During an interview with the DRM, on 9/26/19, at 1:30 PM, she stated she had been verbally made aware of the rape allegation by Patient 1 on 8/30/19. DRM was asked if she notified law enforcement of the allegation. DRM stated "No, I didn't call police." DRM was asked the reason there was no immediate phone call to law enforcement. DRM stated, "I don't have a response for that. We are all mandated reporters."</p> <p>2. During a review of the facility's "Risk Management Report" received 9/4/19, it documented the facility's investigation was</p>			

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	<p>completed on 8/31/19. On 9/26/19, a copy of the SOC 341, was requested from the Clinical Risk Manager (CRM). The SOC 341 was dated 9/6/19, and it identified "sexual abuse" as the allegation, and it was not send to the Department.</p> <p>During an interview with CRM, on 9/26/19, at 3:50 PM, she verified the SOC 341 was done seven days after the initial allegations and four days after the facility had completed their investigation. CRM was unable to provide a copy of the SOC 341 involved with Patient 1's initial verbal allegations on 8/29/19 or 8/30/19.</p> <p>During a review of the facility policy and procedure titled "Suspected child and or elder dependent adult abuse reporting" dated 9/25/17, it indicated ". . . Policy In accordance with the California Penal Code and the Welfare and Institutions Code, all staff of a health care facility are required to report any known or suspected child, elder/dependent adult abuse to the proper authority. This reporting must be accomplished as soon as practically possible via telephone and by written report within two (2) working day (Elder/Dependent Adult Abuse) of the discovery. . . II Elder/Dependent Adult Abuse . . .B. . .Dependent adult also includes any person between the ages of 18 and 64 who is admitted as an inpatient to a 24-hour health facility. C. "Abuse" is defined as including any one or more of the following acts which is inflicted by other than accidental means: 2. sexual abuse . . . III Elder and Dependent Adult Abuse Reporting A. Contact immediate supervisor and/or Patient and Family Services. B. Telephone report is made by the Social Worker* to Adult Protective Services or Law Enforcement. C. Written report (Suspected Dependent Adult/Elder Abuse form/SOC 341) is completed and sent within two (2) working days to the agency you made the report. . . *If you as a mandated</p>			

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	reporter, believe that a report should be made, but the social worker thinks that a report is not necessary, then YOU, as a mandated reporter are still required to report. . ."			